

40
7-5-02
J

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DIANNA LYNN HARRIS,
Plaintiff,

v.

PENNSYLVANIA BOARD OF
PROBATION AND PAROLE, et al.,
Defendants.

CIVIL ACTION NO. 1:CV-01-270
(Judge Kane)

FILED
HARRISBURG

JUL - 5 2002

MARY E. DIANDREA, CLERK

Per. J
DEPUTY CLERK

ORDER

On June 7, 2002, Plaintiff was ordered to notify the Court whether she will proceed pro se or with new counsel no later than June 19, 2002. The Order further provided that, "If she will be represented by counsel, such counsel shall enter an appearance by June 19, 2002. If Plaintiff intends to represent herself, she must notify the Court of that fact by June 19, 2002. If Plaintiff fails to notify the Court one way or the other, she will be subject to sanctions, including dismissal of this action." Also on June 7, 2002, the Court set a schedule for briefing on new case law which may bear on this action.

Now before this Court is Plaintiff's letter dated June 19, 2002, and filed June 20, 2002, requesting more time to find new counsel. The letter is clearly not an entry of appearance by new counsel. Therefore, the Court will construe Plaintiff's letter in her favor and interpret it as her notice of intent to continue with the case pro se.

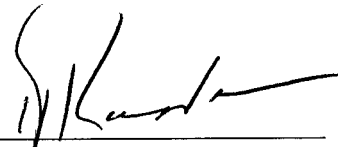
The schedule set in the June 7, 2002 briefing Order will not be changed. Plaintiff has known that she needed new counsel since at least April 16, 2002, when this Court directed her to start looking. This action shall not be delayed any further. Whether pro se or represented by

counsel, Plaintiff must file her response brief no later than July 12, 2002, as provided for in the June 7, 2002 briefing Order. Should Plaintiff fail to timely file her response, she is subject to sanction, including dismissal of this action. Plaintiff is, of course, encouraged to engage new counsel to represent her in this action. Such counsel may file their appearance at any time.

Plaintiff is further informed documents must be filed with the Court by the deadline, not merely mailed by then.

Date:

3 July, 2002



Yvette Kane
United States District Judge